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By

Orlando Quiroz

Date

3/15/02

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ganapati R. Mauze.

Group Art Unit: 1641

Serial No.: 09/740,660

Examiner: Ceperley, M.

Filed: December 18, 2000

For: Fluorescence Immunoassays Using Organo-Metallic Complex Energy Transfer

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This Communication is filed in response to the Official action of February 13, 2002 that set a 1 month shortened statutory period for response. This response is timely and due on March 15, 2002 as prescribed by 35 U.S.C. 133 and M.P.E.P. 710.02(h) that stipulate a shortened statutory period not be less than 30 days.

RESTRICTION REQUIREMENT

Under 35 U.S.C. § 121

The Examiner requested restriction to one of the following inventions under 35 U.S.C. § 121:

- I. Claims 1-27 drawn to an encapsulation vesicle comprised of a matrix and a ligand attached to a protective coating layer on the matrix, classified in class 436, subclass 527 and class 530, subclass 391.1; and
- II. Claims 28-31, drawn to a method for quantifying an analyte in sample by a competitive ligand binding assay using donor-acceptor luminescence as a means of detection, class 436, subclass 544.

In view of the election, Applicant respectfully requests examination of claims 1-27 on the merits. In the case that any issue regarding the application can be resolved expeditiously via a telephone conversation, Applicant invites the Examiner to call Timothy H. Joyce at 1-(650)-485-4310.

Respectfully submitted,

AGILENT TECHNOLOGIES INC.

By:

Timothy H. Joyce

Attorney

Reg. No. 38,197

Dated: 3/15/02

Agilent Technologies Inc.
Legal Department, DI. 429
Intellectual Property Administration
P. O. Box 7599
Loveland, Colorado 80537-0599

Agilent Technologies, Inc.
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Agilent Technologies

Facsimile

Date: October 3, 2002

Fax number: 703 746 5221

To: Mary Ceperley
Group Art Unit 1641
US Patent & Trademark Office

Total pages: 6

From: Timothy H. Joyce

Subject: USSN: 09/740,660, filed Dec. 18, 2000

Ordered case!

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PAGE 2

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650 485 5487 Rig AX

Page 001

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PATENT AND
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Page

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SENT BY: AGILENT IP LEGAL PAID ALTO 817; 650 485 5487;		MAR-15-02 18:11:12		PAGE 1	
		<p>Agilent Technologies, Inc. For Official USPTO Patent Fax Use 1601 California Ave., MS 175 - 5th Palo Alto, California 94303-1111</p> <p>650 485 5487 ext 4001 650 485 5487 fax 4001 Circle 01 Agilent.com mailto:ip@agilent.com</p>			
Facsimile Cover Sheet					
To:	CEPERLEY, MARY	Date:	March 15, 2002		
Company:	USPTO	From:	Orlando, Florida		
Telephone number:	(703) 306-4239	Fax to:	(650) 485-5487		
Fax number:	(703) 679-8206	Total pages:	4		
<p>Re: Response/Amendment Inventor(s): CORNELL R. MOORE et al. Serial No.: 09/740,680 Filing Date: Dec. 10, 2000 Title: "Fluorescence Immunoassays Using Organic Metallic Complexes For Energy Transfer"</p>					
<p>Accompanying this fax cover page are the following documents:</p> <p>Transmittal letter for Response/Amendment</p> <p>Response To The Restriction Notice 7/13/02</p> <p>Authorization To Charge Fees To Deposit Account.</p>					
<p>Received from < 650 485 5487 > at 3/15/02 6:07:43 PM [Eastern Standard Time]</p>					

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Agilent Technologies

Facsimile Cover Sheet

To: CENIKLEY, MARY
Company: USPTO
Telephone number: (703) 608-6230
Fax number: (703) 673-0308

Date: March 8, 2003
From: Orlando Gallardo
Fax number: (505) 490-5487
Total pages: 4

Re: Response/Amendment
Inventor(s): Garapani R. Meuzel et al.
Serial No.: 09/740,660
Filing Date: Dec. 18, 2000
Title: "Fluorescence Immunoassays Using Organic-Metallic Complexes For Energy Transfer"

Accompanying this fax cover page are the following documents:

Transmittal letter for Response/Amendment

Response To The Reexamination Dated 2/13/02

Authorization To Charge Fees To Deposit Account

AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P. O. Box 7589
Loveland, Colorado 80537-0599

PATENT APPLICATION

ATTORNEY DOCKET NO. 10004415-1

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Ganapati R. Mauze et al.

Serial No.: 09/740,660

Examiner: CEPERLEY, MARY

Filing Date: Dec. 18, 2000

Group Art Unit: 1641

Title: Fluorescence Immunoassays Using Organo-Metallic Complexes For Energy Transfer

COMMISSIONER FOR PATENTS
Washington, D.C. 20231

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- (X) Response/Amendment () Petition to extend time to respond
() New fee as calculated below () Supplemental Declaration
() No additional fee (Address envelope to "Box Non-Fee Amendments")
() Other: _____ (fee \$ _____)

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS		MINUS		= 0	X \$18	\$ 0
INDEP. CLAIMS		MINUS		= 0	X \$84	\$ 0
[] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$280	\$ 0
EXTENSION FEE	1ST MONTH \$110.00	2ND MONTH \$400.00	3RD MONTH \$920.00	4TH MONTH \$1440.00		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this sheet is enclosed.

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Date of Facsimile: 3/15/02

Typed Name: Orlando Quiroz

Signature: 

Respectfully submitted,

Ganapati R. Mauze et al.

By 

Timothy H. J. yce

Attorney/Agent for Applicant(s)

Reg. No. 38,197

Date: 3/15/02